

MAR 24 2005

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Effective on 12/08/2004

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005****Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/691,091       |
| Filing Date          | October 18, 2000 |
| First Named Inventor | Corey YOUNG      |
| Examiner Name        | Phan, Tam T.     |
| Art Unit             | 2144             |
| Attorney Docket No.  | 2222.0420001     |

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
| Multiple dependent claims   | 360      | 180                   |

| Total Claims  | Extra Claims    | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|-----------------|----------|---------------|---------------------------|----------|---------------|
| _____ - 20 or HP  | = _____ x _____ | = _____  |               |                           |          |               |
| HP = highest number of total claims paid for, if greater than 20      |                 |          |               |                           |          |               |
| Indep. Claims   | Extra Claims    | Fee (\$) | Fee Paid (\$) |                           |          |               |
| _____ - 3 or HP   | = _____ x _____ | = _____  |               |                           |          |               |
| HP = highest number of independent claims paid for, if greater than 3 |                 |          |               |                           |          |               |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets        | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|---------------------|--------------|--|----------|---------------|
| _____ - 100 = _____ | / 50 = _____ | (round up to a whole number) x _____             | = _____  |               |

**4. OTHER FEE(S)**


Non-English Specification, \$130 fee (no small entity discount)

Other: Information Disclosure Statement Submission

Fees Paid (\$)

\$180.00

**SUBMITTED BY**

|                   |   |                                      |        |           |                |
|-------------------|---|--------------------------------------|--------|-----------|----------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) | 45,321 | Telephone | (202) 371-2600 |
| Name (Print/Type) | Kendrick P. Patterson   |                                      |        | Date      | March 24, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YOUNG *et al.*

Appl. No.: 09/691,091

Filed: October 18, 2000

For: **Method For Queued Overlap  
Transfer Of Files**

Confirmation No.: 3750

Art Unit: 2144

Examiner: Phan, Tam T.

Atty. Docket: 2222.0420001

### Information Disclosure Statement

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign

patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☐ 7. In accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed

\_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C.

§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

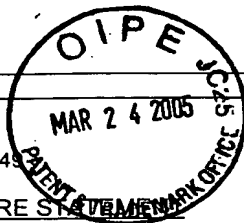
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kendrick P. Patterson  
Attorney for Applicants  
Registration No. 45,321

Date: *March 24, 2005*

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Washington, D.C. 20005-3934  
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FORM PTO-1445

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
2222.0420001APPLICATION NO.  
09/691,091FIRST NAMED INVENTOR  
Corey YoungFILING DATE  
October 18, 2000ART UNIT  
2144

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |     | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|-----|--------------------|------|------|-------|-----------|-------------|
|                     | AA1 |                    |      |      |       |           |             |
|                     | AB1 |                    |      |      |       |           |             |
|                     | AC1 |                    |      |      |       |           |             |
|                     | AD1 |                    |      |      |       |           |             |
|                     | AE1 |                    |      |      |       |           |             |
|                     | AF1 |                    |      |      |       |           |             |
|                     | AG1 |                    |      |      |       |           |             |
|                     | AH1 |                    |      |      |       |           |             |
|                     | AI1 |                    |      |      |       |           |             |
|                     | AJ1 |                    |      |      |       |           |             |
|                     | AK1 |                    |      |      |       |           |             |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL |     | DOCUMENT<br>NUMBER | DATE    | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|-----|--------------------|---------|---------|-------|-----------|-------------|
|                     | AL1 | WO 01/93161 A1     | 12/2001 | PCT     |       |           | Yes<br>No   |
|                     | AM1 |                    |         |         |       |           | Yes<br>No   |
|                     | AN1 |                    |         |         |       |           | Yes<br>No   |
|                     | AO1 |                    |         |         |       |           | Yes<br>No   |
|                     | AP1 |                    |         |         |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |   |  |
|--|----|---|--|
|  | AR | 1 |  |
|  | AS | 1 |  |
|  | AT | 1 |  |

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.